

Appl. No.: 10/620,469

Amendment Dated: 1/24/2005

Reply to OA of 8/24/2004

**REMARKS**

This amendment is responsive to the Action dated August 24<sup>th</sup>, 2005. With this response claims 3 and 19 are cancelled, while claim 1 has been amended, as provided above. Applicant notes that the amendment of claim 1 was merely ministerial, and does not change the scope of the claim. In this regard, it was not intended to further limit the claim, or any individual element thereof. Support for the amendments can be found in the original specification, claims and/or drawings. In this regard, no new matter has been introduced.

Applicant would like to thank the Examiner for the identification of allowable subject matter.

With this response, claims 1, 2, 4-12, 16-18 and 20 as selectively amended remain pending.

**102(b) Rejection of Claims 16-19**

In paragraphs 3, 6 and 7 of the Action, claims 16-19 were rejected as being anticipated by the Ooishi reference. In response, Applicant respectfully traverses the basis for the rejection of such claims.

In maintaining the rejection of such claims, the Examiner points to the multiplexer element (hardware) as a process identifier, i.e., a physical element that distinguishes between one process (coincidence) and another process (non-coincidence). Applicant notes that the use of this term within the specification and claim language is not directed to an element of process identification, but rather to substituting some portion of the received content with *other* content, i.e., the process identifier (PID) content.

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Applicant maintains that the Ooishi reference contains no such disclosure of replacing some portion of a received address with a process identifier (PID) and, as such, failed to establish a prima facie basis of anticipation. Accordingly, Applicant respectfully requests that the Examiner withdraw the §102 rejection of claims 16-19.

Anticipation under 35 USC § 102 requires the disclosure in a single prior art reference of each element of the claim under consideration. *See Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).

However, it is not enough, that the prior art reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). “The *identical invention* must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP § 2131 (emphasis added).

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**CONCLUSION**

In light of at least the foregoing reasons, Applicant respectfully submits that claims 1, 2, 4-12 and 16-20, as selectively amended, are in condition for allowance and such action is earnestly solicited. *The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.*

Please charge any shortages and credit any overcharges to our Deposit Account number 50-0221.

Respectfully submitted,  
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Date: January 24, 2005

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